IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 2885 of 2005

Between:

S.Savita W/o.Late S.Srinivas,
H.No.2-1-202, N.G.O.'s Colony,
Zaheerabad, Medak District.

..... PETITIONER

AND

1. The Director of Animal Husbandry,

   Government of Andhra Pradesh, Vijayanagar Colony,

   Hyderabad.

2. The Joint Director of Animal Husbandry, Mahboobnagar.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Mandamus, declaring the inaction of the 1st respondent in not considering and passing orders on the petitioner's representation dated 6-1-2005 as illegal, arbitrary and unconstitutional and consequently direct the 1st respondent to consider the petitioner's representation dated 6-1-2005 and take appropriate action thereon, and pass such other order or orders as this Hon'ble court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.P.ROY REDDY

Counsel for the Respondents: GP FOR ANIMAL HUSBANDARY

The Court made the following ORDER:

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The writ petition is filed to declare the action of the first respondent in not

considering the petitioner's representation dated 06.01.2005 as illegal and arbitrary and for a consequential direction to the first respondent to consider the petitioner's representation dated 06.01.2005.

The facts, in brief, are that the petitioner's husband was the only son of her father-in-law. The petitioner's husband was died on 03.09.2004, when he was involved in a road accident. The father-in-law of the petitioner, who was holding the post of Office Manager in the office of the Joint Director, Animal Husbandry, Mahaboobnagar, was died in harness on 15.12.2004, surviving his widow-S.Manemma, petitioner and her two minor children. The Mandal Revenue Officer, Zaheerabad issued a Legal Heir Certificate showing the petitioner and her two minor children and her mother-in-law as the existing legal heirs in respect of late Sri S.Eswaraiah. While the matter stood thus, the mother-in-law of the petitioner is making efforts to claim the death and service benefits of her father-in-law in exclusion of the petitioner and her minor children. Therefore, she filed a representation dated 06.01.2005.

Whether the petitioner is a legal heir entitled to the death cum terminal benefits of the deceased-S.Eswaraiah or not, and who are the nominees nominated by the deceased for getting the benefits, is required to be gone into by the respondents in accordance with law.

Therefore, writ petition is disposed of with a direction to the respondents to take appropriate decision on the representation of the petitioner dated 06.01.2005 and pass orders in accordance with law within a period of four weeks from the date of receipt of a copy of this order. No costs.

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K.C. Bhanu, J

Date: 18.02.2005

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To

1. The Director of Animal Husbandry,

   Government of Andhra Pradesh, Vijayanagar Colony,

   Hyderabad.

2. The Joint Director of Animal Husbandry, Mahboobnagar.

3. Two CCs to G.P. for Animal Husbandry, High Court of A.P. Buildings, Hyderabad.

4. Two CD Copies